

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)	Case No. 20bk01796
)	
Piotr Palider,)	
)	Chapter 7
)	
Debtor.)	Judge Timothy A. Barnes

ORDER FINDING PIOTR PALIDER IN CIVIL CONTEMPT

This matter coming to be heard with regard to United States Trustee's Motion for Rule to Show Cause [Dkt. No. 70] (the "Motion") against debtor Piotr Palider ("Palider").

IT IS HEREBY FOUND THAT:

- A. A video hearing on the Motion was conducted on December 7, 2020 (the "Hearing"), at which hearing Adam Brief, counsel for the United States Trustee (the "U.S. Trustee"), and Michael Desmond, the chapter 7 trustee appointed in the above-captioned case (the "Chapter 7 Trustee"), appeared.
- B. Palider did not appear at the hearing, despite being notified in person of the date, time and manner of the hearing at a previous hearing on November 11, 2020 where he was in attendance.
- C. At the November 11, 2020 hearing, Palider was instructed by the court regarding the need for him to comply with the terms of the order converting Palider's case, *see* Order Granting Motion to Convert Case under Chapter 11 to Case under Chapter 7 [Dkt. No. 48, entered on June 8, 2020] (as attached hereto as Exhibit A, the "Conversion Order").
- D. In order to make clear to Palider his unfulfilled duties in the case, the court entered another order immediately following the November 11, 2020 hearing, memorializing the in-person instructions given to Palider in that hearing. *See* Order Directing Debtor to Appear at Continued Meeting of Creditors, Provide Certain Documents to the Chapter 7 Trustee and [Granting] Other Relief [Dkt. No. 102, entered on November 11, 2020] (as attached hereto as Exhibit B, the "Compliance Order"). On November 19, 2020 a copy of the Compliance Order was mailed to Palider at the address he provided in the November 11, 2020 hearing. *See* Certificate of Service [Dkt. No. 103].
- E. Despite the foregoing, at the Hearing, the Chapter 7 Trustee reported that Palider remained in noncompliance with the terms of the Conversion Order and the Compliance Order, other than item #1 on the Compliance Order. The Chapter 7 Trustee reported that the other documents remained missing and that Palider had failed to attend the scheduled meeting of creditors under 11 U.S.C. § 341 by video, as ordered. Video attendance was expressly discussed at the November 11, 2020 hearing and was ordered so that, in light of the expressed concerns of the Chapter 7 Trustee that the person representing to be Palider on the phone at and the court's telephonic hearings was in fact Palider, the Chapter 7 Trustee could visually match the person speaking with the identification. Instead, Palider attended by phone and the meeting was as a result adjourned.

- F. In light of the foregoing and based on the record set forth in the Motion and at the various hearings thereon, Palider is in contempt of both the Conversion Order and the Compliance Order. Local Bankr. R. 9020-1(B) of the U.S. Bankr. Ct. of the N.D. Ill.


IT IS, THEREFORE, HEREBY ORDERED THAT:

1. To purge his contempt, Palider must attend the next scheduled meeting of the creditors (the continued "341 Meeting"). The 341 Meeting is scheduled for December 15, 2020 at 11:00 AM and uses video format. If Palider fails to attend the 341 Meeting **by video**, he will have been deemed absent from the 341 Meeting and will have failed to purge his contempt.
2. To purge his contempt, Palider must also, at least one business day prior to the 341 Meeting, provide to the Chapter 7 Trustee the following documents:
 - a. Copies of Palider's 2018 and 2019 state and federal tax returns;
 - b. Copies of Palider's pay advices (paystubs or record of wages paid) for the period from August 7, 2020 to and including October 7, 2020;
 - c. Copies of all bank statements for all accounts over which Palider has signature authority, including but not limited to accounts at Bridgeview Bank, PNC Bank and First Midwest Bank for the period October 7, 2018 through October 7, 2020, and
 - d. A copy of the \$100,000 cashier's check which Palider previously testified under oath that he had in his possession, and an accounting of any use of those funds.
3. The court will context a further hearing on the Motion, the Conversion Order, the Compliance Order and this Order on January 4, 2021 at 1:30 p.m. (prevailing Chicago Time). The hearing will be conducted by Zoom (meeting id: 6420553389; passcode: 8yG9Lf).

If at the January 4, 2021 hearing the court finds that Palider has failed to purge his contempt, the court may order the U.S. Marshal to arrest Palider and confine him at the Chicago Metropolitan Correctional Center until such time as Palider purges his contempt. The court may also order other, specific remedies under this court's civil contempt authority.

Dated: December 8, 2020

ENTERED:


Timothy A. Barnes
United States Bankruptcy Judge

Eastern Division

In Re:
 PIOTR PALIDER,

Debtor(s)

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BK No.: 20-01796

Chapter: 11

Honorable Timothy Barnes

**ORDER CONVERTING CASE UNDER CHAPTER 11
 TO CASE UNDER CHAPTER 7**

This case comes before the Court on the United States Trustee's motion under 11 U.S.C. § 1112(b) to convert this Chapter 11 case to a case under Chapter 7 and to shorten notice. After notice shortened to that given and a hearing, the Court orders as follows:

1. This case is converted to Chapter 7;
2. The Debtor shall,
 - a. On or before June 22, 2020, account for and turn over to the Chapter 7 Trustee all records and property of the estate in his custody or under his control including, but not limited to, all cashier's checks, money orders, cash and other forms of money, all as required by Fed. R. Bankr. P. 1019(4);
 - b. On or before June 22, 2020, file a schedule of all unpaid debts incurred after the commencement of the Chapter 11 case (including the names and addresses of all creditors) as required by Fed. R. Bankr. P. 1019(5);
 - c. On or before July 8, 2020, file a final report and account as required by Fed. R. Bankr. P. 1019(5); and
 - d. On or before June 22, 2020, file the statements and schedules required by Fed. R. Bankr. P. 1019(1) and 1107(b), if such documents have not already been filed.
3. This matter is set for a status hearing on July 27, 2020 at 1:30 p.m. At the hearing, the Court will determine whether the Debtor has complied with this order and, if not, consider any requests for further relief or sanctions against the Debtor as may be required to secure compliance with this order.

Enter:



Timothy A. Barnes

United States Bankruptcy Judge

Dated: June 08, 2020

In Re:)	BK No.: 20-01796
)	
PIOTR PALIDER,)	Chapter: 7
)	Honorable Timothy A. Barnes
)	
Debtor(s))	

ORDER DIRECTING DEBTOR TO APPEAR AT CONTINUED MEETING OF CREDITORS, PROVIDE CERTAIN DOCUMENTS TO THE CHAPTER 7 TRUSTEE AND OTHER RELIEF

This case having come before the Court for a continued hearing on the U.S. Trustee's Motion for Rule to Show Cause Requiring Piotr Palider to Show Cause Why He Should Not Be Held in Contempt, and after hearing representations by the Debtor, the Chapter 7 Trustee and the U.S. Trustee,

DEBTOR PIOTR PALIDER IS ORDERED to:

Appear by video at the continued Zoom Meeting of Creditors, on December 1, 2020 at 11:00 a.m., by following the instructions within the Zoom app or browser using the meeting code and password below:

Meeting ID: 642 055 3389
Passcode: 8yG9Lf

DEBTOR PIOTR PALIDER IS FURTHER ORDERED to provide the Chapter 7 Trustee, Michael Desmond, the following documents by November 30, 2020 at 12:00 PM:

1. Copies of his driver's license and his social security card;
2. Copies of his 2018 and 2019 Tax Returns;
3. Copies of his pay advices for the period August 7, 2020 through October 7, 2020;
4. Copies of all bank statements for all accounts over which he has signature authority, including but not limited to accounts at Bridgeview Bank, PNC Bank and First Midwest Bank for the period October 7, 2018 through October 7, 2020, and
5. A copy of the \$100,000 cashier's check which he previously testified under oath that he had in his possession, and an accounting of any use of those funds.

This matter is continued to December 7, 2020 at 1:30 PM for a status hearing to determine whether Debtor Piotr Palider has complied with this order. The hearing shall be conducted via Zoom or Zoom for Government using the instructions set forth on the Court's website at:

<https://www.ilnb.uscourts.gov/content/judge-timothy-barnes>

Enter:



Honorable Timothy A. Barnes

United States Bankruptcy Judge

Dated: 11.18.2020